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EXAMINER	
CARTER, TIA A	
ART UNIT	**PAPER NUMBER**
2626	4

DATE MAILED: 02/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/548,024	EGUCHI, MASASHI	
	Examiner	Art Unit	
	Tia A Carter	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-20 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 4.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Saito et al. (US. 6266160).

Regarding claim 1, Saito et al. network facsimile machine connectable to PSTN and a second network and adapted to receive fax data from a remote machine over the PSTN and deliver the fax data to recipients on the second network (fig. 2, col. 2, lines 39-49), the network facsimile machine comprising:

A capabilities storage unit that stores data for delivery recipients on said second network and corresponding reception capabilities for said delivery recipients (fig. 3, col. 3, lines 18-24);

A communication control unit (ref 1 and 2: fig. 2, col. 2, lines 54-64) that receives delivery recipient-specifying data over the PSTN, looks up this data in said capabilities storage unit, and transmits a signal over the PSTN declaring reception capabilities of a

delivery recipient specified by the recipient-specifying data (fig. 4, col. 3, lines 38-43; lines 65-67 and col. 4, lines 1-6).

Regarding claim 4, Saito et al. the network facsimile machine of claim 1 wherein at least one of the delivery recipients on the second network is a terminal device (fig. 2, col. 4, lines 7-12).

Regarding claim 5, Saito et al. discloses the network facsimile machine of claim 1 wherein the delivery recipient specified by the recipient-specifying data is a terminal device (server 3) connected to said second network (fig. 4, col. 3, lines 45-59).

Regarding claim 6, Saito et al. discloses the network facsimile machine of claim 2 wherein the capabilities storage unit stores addresses of the delivery recipients on the second network, the recipient –specifying data, and reception capabilities of said delivery recipients in predetermined correspondence (fig. 4, col. 3, lines 15-52).

Regarding claim 7, Saito et al. discloses the network facsimile machine of claim 3 wherein the capabilities storage unit stores addresses of the delivery recipients on the second network, the recipient-specifying data, and reception capabilities of said delivery recipients in predetermined relationship (fig. 4, col. 3, lines 15-52).

Regarding claim 8, Saito et al. discloses the network facsimile machine of claim 1 wherein at least one of the delivery recipients on the second network is an output device(internet facsimile –1) (fig. 2, col. 2, lines 54-64).

Regarding claim 9, Saito et al. discloses the network facsimile machine of claim 1 wherein the delivery recipient specified by the recipient-specifying data is an output device connected to said second network (fig. 2, col. 2, lines 39-46).

Regarding claim 10, Saito et al. discloses the network facsimile machine of claim 1 wherein the reception capabilities include resolution (fig. 3, col. 3, lines 18-24).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 2-3, and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. (US. 6266160) in view of Oseto (US. 6097797).

Regarding claim 2, Saito et al. discloses the network facsimile machine of claim 1.

Saito et al. do not disclose wherein the delivery recipient-specifying data is a sub-address (SUB).

Oseto discloses wherein the delivery recipient-specifying data is a sub-address (SUB) (fig.9, col. 12, lines 25-48).

It would have been obvious to one skilled in the art at the time of the invention to modify Saito et al. wherein handshake protocol would take place prior to transmission of data to ensure accurate transmission and completion.

Regarding claim 3, Saito et al. discloses the network facsimile machine of claim 1.

Saito et al. do not disclose wherein the delivery recipient-specifying data is a Transmitting Subscriber Identification (TSI) signal.

Oseto discloses wherein the delivery recipient-specifying data is a Transmitting Subscriber Identification (TSI) signal (fig. 7, col. 10, lines 32-37).

It would have been obvious to one skilled in the art at the time of the invention to modify Saito et al. wherein handshake protocol would take place prior to transmission of data to ensure accurate transmission and completion.

Regarding claim 11, Saito et al. discloses the network facsimile machine of claim 1.

Saito et al. do not disclose wherein when broadcasting to plurality of delivery recipients on the second network, the reception capabilities of a delivery recipient with the lowest reception capability is declared.

Oseto discloses wherein when broadcasting to plurality of delivery recipients on the second network, the reception capabilities of a delivery recipient with the lowest reception capability is declared (fig. 2, col. 7, lines 13-17).

It would have been obvious to one skilled in the art at the time of the invention to modify Saito et al. wherein the range of reception capabilities are identified for precise matching of a specific device to prevent error in the transmission output.

Regarding claim 12, Saito et al. discloses the network facsimile machine of claim 1 Oseto discloses wherein when broadcasting to plurality of delivery recipients on the second network , the reception capabilities of a delivery recipient with the highest reception capability is declared (fig. 2, col. 7, lines 17-20).

It would have been obvious to one skilled in the art at the time of the invention to modify Saito et al. wherein the range of reception capabilities are identified for precise matching of a specific device to prevent error in the transmission output.

Regarding claim 13, Saito et al. discloses the network facsimile machine of claim 1.

Saito et al. do not disclose wherein the second network is a LAN.

Oseto discloses wherein the second network is a LAN (fig. 1, col. 4, lines 22-27).

It would have been obvious to one skilled in the art at the time of the invention to modify Saito et al. wherein a LAN woud be implemented to provide a wide range of network communication.,

5. Claims 14-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oseto (US. 6097797) in view of Saito et al. (US. 6266160)

Regarding claim 14, Oseto discloses a communication method for use with a network facsimile machine connected to PSTN and a second network, at least one recipient being connected to the second network, (fig. 1, col. 4, lines 18-345) comprising the steps of:

(A) responding to a call from a remote facsimile machine over PSTN (fig. 7, col. 10, lines 23-29);

(B) receiving delivery recipient-specifying data from the remote facsimile machine over the PSTN (fig. 7, col. 10, lines 30-35);

(C) Oseto **does not disclose** determining reception capabilities of a designated delivery recipient based on the received recipient-specifying data

(C) Saito et al. **discloses** determining reception capabilities of a designated delivery recipient based on the received recipient-specifying data (fig. 4, col. 3, lines 38-43; lines 65-67 and col. 4, lines 1-6);

(D) transmitting a signal to the remote facsimile machine over the PSTN declaring the reception capabilities of the designated recipient (fig. 7, col. 10, lines 32-41).

(E) receiving facsimile data from the remote facsimile machine over the PSTN (fig. 7, col. 11, lines 7-13); and

(F) delivering the received facsimile data to the designated delivery recipient over the second network (fig. 7, col. 11, lines 14-21).

It would have been obvious to one skilled in the art at the time of the invention to modify Oseto wherein the capabilities are identified and stored in association with the communication signal to enable accurate fax transmission.

Regarding claim 15, Oseto discloses the network facsimile machine of claim 14, wherein the delivery recipient-specifying data is a sub-address (SUB) (fig. 9, col. 12, lines 25-48).

Regarding claim 16, Oseto discloses the network facsimile machine of claim 14 wherein the delivery recipient-specifying data is a Transmitting Subscriber Identification (TSI) signal (fig. 7, col. 10, lines 32-37).

Regarding claim 17, Oseto discloses the network facsimile machine of claim 14 wherein designated delivery recipient is a terminal device connected to said second network (fig. 1, col. 4, lines 22-44).

Regarding claim 18, Oseto discloses the network facsimile machine of claim 14 wherein designated delivery recipient is an output device connected to said second network (fig. 1, col. 5, lines 18-41).

Regarding claim 19, Oseto discloses the network facsimile machine of claim 14 wherein the reception capabilities include resolution (fig. 2, col. 6, lines 64-66).

Regarding claim 20, Oseto discloses the communication method of claim 14 wherein a plurality of delivery recipients are designated by the recipient-specifying data at step B (fig. 11, col. 13, lines 31-41), reception capabilities of each of the plurality of delivery recipients are determined at step C (fig. 7, col. 10, lines 45-67 and col. 11, lines 1-14), and a signal declaring the reception capabilities of a delivery recipient with the lowest reception capabilities is transmitted to the remote facsimile machine over the PSTN at step D (fig. 7, col. 10, lines 23-44).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sakayama et al. (US. 5907599), Huna (US. 6438217), Saito et al. (US. 6587219), IwaZaki (US. 6457044), Mori (US. 6348927), Sato et al. (US. 6230189) are cited to show related art with respect to facsimile communication.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tia A Carter whose telephone number is 703 - 306-5433. The examiner can normally be reached on M-F (7:00-3:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams can be reached on 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tia A Carter
Examiner
Art Unit 2626

TAC
February 4, 2004

KA Williams

KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER